

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 16, 2010

DIVISION ONE

B215179 Silguero
v.
Creteguard, Inc., et al.

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION TWO

B221464 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Kimberly V., et al.

The orders are affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION THREE

B222879 People (Not for Publication)
v.
Jahnquis Jemerson

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION SIX

B216625 People (Not for Publication)
v.
Bernardo Perez Ramirez

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

B218887 People (Not for Publication)
v.
Talamantes

On each of the second degree robbery (count 1) and attempted murder (count 4) convictions, the judgment is modified by striking one of the two five-year enhancements imposed pursuant to section 667, subdivision (a)(1). This modification reduces appellant's aggregate sentence from 115 years to life to 105 years to life. As modified, the judgment is affirmed. The trial court shall prepare an amended abstract of judgment and transmit a certified copy to the Department of Corrections and Rehabilitation.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SIX (continued)

B215205 People (Not for Publication)
v.
Manuel Ramirez

The conviction on count 2 is reversed because the count 2 offense (rape in violation of section 261, subdivision (a)(2)) is a lesser included offense of the count 1 offense (aggravated sexual assault of a child in violation of section 269, subdivision (a)(1)). The conviction on count 6 for forcible lewd act upon a child under the age of 14 years in violation of section 288, subdivision (b)(1), is reversed for insufficiency of the evidence. The conviction on count 3 for the same offense is reduced to simple lewd act upon a child under the age of 14 years in violation of section 288, subdivision (a). The consecutive sentence of 15 years to life on count 3 is modified to a concurrent sentence of 15 years to life.

Execution of the sentence imposed on count 12 for attempted forcible rape in violation of sections 664 and 261, subdivision (a)(2), is stayed pursuant to section 654 pending completion of the term imposed on count 13, the stay then to become permanent. Execution of sentence imposed on count 14 for the same offense is stayed pursuant to section 654 pending completion of the term imposed on count 15, the stay then to become permanent.

In all other respects, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to transmit a certified copy to the Department of Corrections and Rehabilitation.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

B220507 People (Not for Publication)
v.
Briana B.

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Perren, J.

DIVISION SEVEN

B209435 Brandalyn Pursley, et al. (Not for Publication)
v.
Amy Lee Philippe, et al.

The postjudgment order denying in part the motion to tax costs is reversed, and the matter is remanded for the limited purpose of allowing the trial court to determine whether the items identified as miscellaneous costs in attachment 13 to the memorandum of costs are recoverable. In all other respects, the judgment (inclusive of the pretrial order denying the motion to disqualify counsel and all postjudgment orders) is affirmed. Each party is to bear his, her and its own costs on appeal.

Perluss, P.J.

We concur: Woods, J.
 Zelon, J.

B221789 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Julie L.

The orders of the juvenile court are affirmed.

Perluss, P.J.

We concur: Woods, J.
 Zelon, J.

B218782 People (Not for Publication)
v.
Bryon Smith

The judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.
 Jackson, J.

DIVISION SEVEN (continued)

B214960 David A. Cordier (Not for Publication)
 v.
 Swanson Realty Group, Inc.

The judgment and postjudgment order regarding costs are affirmed.
Swanson Realty Group, Inc. is to recover its costs on appeal.

Perluss, P.J.

We concur: Woods, J.
 Zelon, J.

B208166 People (Not for Publication)
 v.
 Elena Sagaidatchnaya

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

B216847 Trustees of the So. Calif. IBEW-NECA Pension Plan (Certified for Partial Publication)
 v.
 Los Angeles Unified School District

We affirm, but because the Trustees complaint has been dismissed with
prejudice, no further action in this matter is required. Respondents are to
recover their costs on appeal.

Zelon, J.

We concur: Woods, Acting P.J.
 Jackson, J.